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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cohn *et al.*

Serial No.: 09/898,165

Filed: July 2, 2001

For: **3-PHOSPHOADENOSINE-5-PHOSPHOSULFATE (PAPS) SYNTHETASE PROTEINS AND METHODS FOR TREATING OSTEOARTHRITIC DISORDERS**

Examiner: Saidha, T.

Art Unit: 1652

DECLARATION OF DR. DANIEL H. COHN

UNDER 37 C.F.R. § 1.131

1. I, Daniel H. Cohn, residing at 538 14th St., Santa Monica, CA 90402, declare that I have personal knowledge of the facts averred herein.

2. I am a named co-inventor of the invention described and claimed in U.S. Patent Application Ser. No. 09/898,165 for 3-PHOSPHOADENOSINE-5-PHOSPHOSULFATE (PAPS) SYNTHETASE PROTEINS AND METHODS FOR TREATING OSTEOARTHRITIC DISORDERS, filed on July 2, 2001, which is a division of U.S. Serial No. 09/399,212, filed September 17, 1999 (now abandoned). In addition, Dr. Muhammad Faiyaz ul Haque, Ms. Lily M. King, and Dr. Deborah Krakow are named co-inventors of the aforementioned patent application. Together Dr. Haque, Ms. King, Dr. Krakow, and I are the sole inventors of the claimed invention.

3. On May 22, 1998, I executed an Invention Disclosure Form to my employer, Cedars-Sinai Medical Center, disclosing the claimed invention (appended as **Exhibit 1**). This document evidences that the claimed invention was reduced to practice before May 22, 1998, and prior to the publication dates of two reference cited by the Examiner, i.e., Franzon *et al.*, Int'l J. of Biochem. & Cell Biol. 31:613-26 (May 1999) and Falco *et al.*, U.S. Patent No. 6,338,966, claiming priority from provisional application 60/092,833 filed on July 14, 1998.

4. I further aver that the invention claimed in the above-referenced application was conceived and reduced to practice in the United States of America, in particular, at Cedars-Sinai Medical Center, Los Angeles, CA.

Daniel H. Cohn 11/13/03

Daniel H. Cohn Date

Co-Director,
International Skeletal Dysplasia Registry
Cedars-Sinae Medical Center